

legal process of eminent domain is largely a State and local issue which should have no bearing on the Department of Energy's public interest determination—again, this is about the public interest determination—for the export of LNG to non-free trade countries.

By law, the Secretary of Energy plays no part in approving the construction of LNG export facilities or the pipelines connecting the gas to the facility. By law, the Secretary of Energy plays no part in the pipeline or construction of the facilities.

This bill only addresses the Department of Energy's process, and this amendment would expand the role of DOE into an area where the DOE is not currently involved and has no expertise.

The purpose of H.R. 6 is to expedite liquefied natural gas export applications which have been stuck in limbo awaiting a decision for far too long—in some cases, for more than 2 years. This amendment would unfairly put new requirements on these already pending applications, and I believe we should oppose the amendment because it is something, again, that is left to the States and local determination factors. With that, I would ask for a "no" vote.

I reserve the balance of my time.

Mr. DEFAZIO. Well, unfortunately, it isn't left to the States. The gentleman is wrong. The Bush-Cheney energy act preempted the States—preempted the State authority. It gives a faceless, nameless Federal bureaucracy, which on every other day is opposed by the other side of the aisle, the authority to grant eminent domain for a private company, for private profit, for the export of natural gas, which may well drive up the gas prices of the property owners adjacent to or who have been penetrated by that line.

This amendment doesn't delay anything. It doesn't give any significant new authority. It just requires the simple disclosure that if this terminal is built, a new pipeline is going to be required, and that pipeline, under section 3, with the faceless, nameless Federal bureaucrats behind it, is going to be granted eminent domain authority to take people's property. That is the bottom line. You can try and dance around it and say, well, I am against Kelo because that was another kind of development, but no, I am against this amendment because we wouldn't want people to know that they were going to lose their property rights to eminent domain because of faceless, nameless Federal bureaucrats.

I yield back the balance of my time.

Mr. GARDNER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman from Colorado for yielding to me again.

That 2005 energy bill may have been called Bush-Cheney, but it came out of our Energy and Commerce Committee, and it had 77 Democratic votes when we passed that bill on the House floor.

Mr. DEFAZIO's amendment, with all due respect, requires an applicant to disclose any intention to use eminent domain on any construction necessary to support the LNG export project. I rise in opposition because it looks like an attempt to unnecessarily complicate LNG exports.

LNG facilities require pipelines. However, pipeline construction and operation is a whole separate issue. Yesterday in the House, we had a pipeline bill. Unfortunately, my colleague submitted LNG amendments to the pipeline bill yesterday. If H.R. 6 were a pipeline bill, then perhaps we could be honest about the debate. The fact of the matter is that we need more pipelines in our country. Right now in North Dakota and south Texas, we are flaring natural gas. But H.R. 6 is not a pipeline bill, and it is not the legislation to address the issue of eminent domain, which is predominantly under State law, and I am proud of our State law in Texas. I ask my colleagues to oppose the amendment.

Mr. GARDNER. Mr. Chairman, I would just add again that there is no eminent domain authority for an LNG facility. That is what H.R. 6 is addressing, the export permits for LNG facilities. There is no eminent domain authority for an LNG facility. Mr. Chairman, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

The Chair understands that amendment No. 4 will not be offered.

Mr. GARDNER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. JOLLY) having assumed the chair, Mr. POE of Texas, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 6) to provide for expedited approval of exportation of natural gas to World Trade Organization countries, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 1 o'clock and 55 minutes p.m.), the House stood in recess.

□ 1530

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 641, and adopting House Resolution 641, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 4899, LOWERING GASOLINE PRICES TO FUEL AN AMERICA THAT WORKS ACT OF 2014; PROVIDING FOR CONSIDERATION OF H.R. 4923, ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2015; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 641) providing for consideration of the bill (H.R. 4899) to lower gasoline prices for the American family by increasing domestic onshore and offshore energy exploration and production, to streamline and improve onshore and offshore energy permitting and administration, and for other purposes; providing for consideration of the bill (H.R. 4923) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2015, and for other purposes; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 238, nays 180, not voting 13, as follows:

[Roll No. 355]

YEAS—238

Aderholt	Boustany	Carter
Amash	Brady (TX)	Cassidy
Amodei	Bridenstine	Chabot
Bachmann	Brooks (AL)	Chaffetz
Bachus	Brooks (IN)	Coble
Barletta	Broun (GA)	Coffman
Barr	Buchanan	Cole
Barrow (GA)	Bucshon	Collins (GA)
Barton	Burgess	Collins (NY)
Benishek	Byrne	Conaway
Bentivolio	Calvert	Cook
Bilirakis	Camp	Costa
Bishop (UT)	Campbell	Cotton
Black	Cantor	Cramer
Blackburn	Capito	Crawford